

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above claim amendments and arguments set forth below. Claims 1, 11 and 21 are rejected under 35 U.S.C. §112, second paragraph. Claims 1, 2, 5, 7-9, 12, 14-16, 18 and 20-22 are rejected under 35 U.S.C. 102 (e). Claims 3, 4, 6, 10, 11, 13, 17 and 9 are rejected under 35 U.S.C. 103 (a). Claims 1 and 8, 15 and 21 have herein been amended. Claims 4, 11 and 17 have herein been canceled. All amendments are supported by the specification. No new matter has been added as a result of this amendment. Therefore, Claims 1-3, 5-10, 12-16 and 18-22 remain pending in the case.

35 U.S.C. §112 rejections

Claims 1, 11 and 21 are rejected under 35 U.S.C. §112, second paragraph as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. Applicants have herein amended Claims 1 and 21 to correct the insufficient antecedent basis for "the time duration". Claim 11 has been canceled. Applicants assert that amendments made to Claims 1 and 21 have addressed the §112 rejections. Therefore, Applicants respectfully request the withdrawal of the §112 rejections of Claims 1 and 21.

35 U.S.C. § 102 rejections

Claims 1, 2, 5, 7-9, 12, 14-16, 18 and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent 6,584,490 (Schuster et al).

Independent Claims 1, 8, 15, 21

Claims 1, 8, 15 and 21 have been amended to include the limitations of Claims 4, 11 and 17 respectively. Schuster discloses a method of handling incoming telephone calls based

on a priority scheme (see Fig. 15 and column 28, line 12-column 29, line 2). However, Shuster does not disclose the selection of a destination in response to a date book alarm (Id). Claims 1, 8, 15 and 21 have been amended to incorporate this limitation of claim s 4, 11 and 17 respectively. No new matter has been added. Applicants maintain that Claims 1, 8, 15 and 21 are patentable over the cited art in their original form. Applicants reserve the right to reintroduce the subject matter of Claims 1, 8, 15 and 21 in their original form in a subsequent action. Because not every element of every claim (as amended) is taught by Shuster, the rejection is unsupported by the art. Therefore, Applicants respectfully request the withdrawal of the 102(e) rejection of Claims 1, 8, 15 and 21 and the allowance of the claims.

Dependent Claims 2, 5, 7, 9, 12, 14, 16, 18, 20 and 22

Claims 2, 5, 7, 9, 12, 14, 16, 18, 20 and 22 are dependent claims of Claims 1, 8, 15 and 21, respectively. As such, Claims 2, 5, 7, 9, 12, 14, 16, 18, 20 and 22 are patentable for at least the same reasons as Claims 1, 8, 15 and 21.

35 U.S.C. § 103 rejections

Claims 4, 11 and 17

Claims 4, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster as applied to Claim 1, and in view of U.S. patent # 6,047,053 (Miner et al). Claims 4, 11 and 17 have herein been canceled and their subject matter incorporated into the independent Claims 1, 8, 15 and 21. The argument herein pertains to the independent Claims 1, 8, 15 and 21.

Schuster fails to disclose the selection of a destination in response to the receipt of a date book alarm. It is suggested that Miner discloses a date book alarm, in response to which a user may select a destination for incoming calls. Miner discloses an electronic assistant that stores and processes items (pieces of information stored in the electronic assistant's database) for a subscriber. The electronic assistant as disclosed in Miner is a software program

accessible through a telephone system (col. 5, starting on line 30). This telephonic electronic assistant can provide a call reminder or recorded reminder (col. 6, lines 12-18). However, the reminder service of the electronic assistant as disclosed in Miner does not perform the same function as the date book alarm of the present invention. The reminder service of Miner simply reminds a subscriber of an upcoming event such as a telephone call that needs to be made. Miner's "reminder" feature does not offer an option to the subscriber to select a destination for incoming telephone calls. Therefore, neither Miner nor Shuster, alone or in combination disclose the selection of an incoming call destination in response to a date book alarm.

Furthermore, neither Shuster nor Miner include any teachings or suggestions to combine the two reference to accomplish the claimed subject matter of the present invention, namely selecting a destination for incoming telephone calls, in response to a date book alarm.

Dependent Claims 2-3, 5-7, 9-10, 12-14, 16, 18-20 and 22

Claims 2-3, 5-7, 9-10, 12-14, 16, 18-20 and 22 are dependent from the independent Claims 1, 8, 15 and 21 respectively. Therefore, Applicants believe these claims should be allowed for at least the same reason as the independent Claims 1, 8, 15 and 21.

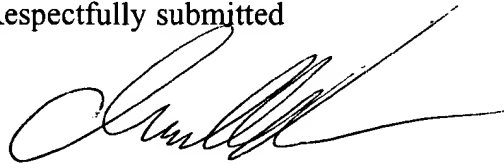
Applicants respectfully request the withdrawal of the rejection under U.S.C. section 103, and the allowance of Claims 2-3, 5-7, 9-10, 12-14, 16, 18-20 and 22.

Conclusion

For these reasons discussed above, Applicants respectfully submit that Claims 1-22 are now in condition for allowance and such action is earnestly solicited by Applicants.

Date: November 10, 2003

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Anthony Murabito', with a long horizontal flourish extending to the right.

Anthony Murabito

Reg. No. 35,295